

AMENDED IN ASSEMBLY APRIL 8, 1999
AMENDED IN ASSEMBLY MARCH 18, 1999

SENATE BILL

No. 264

Introduced by Senator Schiff

(Principal coauthor: Assembly Member Keeley)

(Coauthor: Senator McPherson)

(Coauthors: Assembly Members Ashburn, Correa, Davis, Florez, Granlund, Jackson, Kuehl, Lempert, Longville, Maldonado, Margett, Nakano, Papan, Reyes, Romero, Runner, Shelley, Soto, Steinberg, Wayne, Wesson, Wildman, and Zettel)

February 1, 1999

An act to amend Section 60451 of the Education Code, relating to instructional materials, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 264, as amended, Schiff. Instructional materials.

(1) Existing law, known as the Schiff-Bustamante Standards-Based Instructional Materials Program, provides for the apportionment of funds to school districts for the purchase of instructional materials in the core curriculum that are aligned to content standards for pupils in kindergarten and grades 1 to 12, inclusive. Existing law requires that the instructional materials for pupils in kindergarten and grades 1 to 8, inclusive, be adopted by the State Board of Education

using criteria developed subsequent to the adoption of content standards.

This bill would require that the instructional materials for pupils in kindergarten and grades 1 to 8, inclusive, be adopted by the State Board of Education using criteria aligned to the adopted content standards.

(2) The Schiff-Bustamante Standards-Based Instructional Materials Program provides for the apportionment of funds to school districts for the purchase of instructional material in the core curriculum, which is not limited to mathematics.

Existing law, the Budget Act of 1998, appropriates \$250,000,000 for instructional materials in mathematics.

This bill would authorize, notwithstanding the provisions in the Budget Act of 1998 or any other provision of law, the \$250,000,000 appropriated by the Budget Act of 1998 to be expended for the purposes of the Schiff-Bustamante Standards-Based Instructional Materials Program, thereby making an appropriation.

(3) The Schiff-Bustamante Standards-Based Instructional Materials Program, requires the State Department of Education to apportion funds appropriated for purposes of the program on the basis of an equal amount per pupil enrolled in public elementary schools and high schools, excluding summer school, adult, and regional occupational program and center enrollment, during the preceding fiscal year. Existing law provides that this method of allocation, using enrollment instead of average daily attendance, shall not be construed as a precedent for future allocation methods for instructional materials or for any other education program.

Existing law, the Budget Act of 1998, provides that funds appropriated by that measure for instructional materials for mathematics shall instead be allocated on the basis of an equal amount per unit of average daily attendance, rather than on the basis of an equal amount per pupil.

This bill would require, notwithstanding the provisions in the Budget Act of 1998 or any other provision of law, that funding for instructional materials in mathematics be allocated to school districts and county offices of education on the basis of an equal amount per pupil enrolled in public elementary schools and high schools, excluding the



enrollment of summer school, adult education programs, and regional occupation centers and programs, in the prior fiscal year, thereby making an appropriation.

(4) The bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 60451 of the Education Code is
2 amended to read:

3 60451. Each school district shall expend funds
4 received pursuant to this chapter for the sole purpose of
5 purchasing instructional materials in the core curriculum
6 that are aligned to content standards for pupils in
7 kindergarten and grades 1 to 12, inclusive, that meet all
8 of the following requirements:

9 (a) The instructional materials are aligned with
10 content standards as adopted by the State Board of
11 Education in 1997 or 1998.

12 (b) The instructional materials for pupils in
13 kindergarten and grades 1 to 8, inclusive, have been
14 adopted by the State Board of Education pursuant to
15 Chapter 2 (commencing with Section 60200) of Part 33,
16 using criteria aligned to the adopted content standards.

17 (c) The instructional materials for pupils in grades 9 to
18 12, inclusive, are basic instructional materials, as defined
19 in subdivision (a) of Section 60010, that have been
20 reviewed and approved, through a resolution adopted by
21 the local governing board, as being aligned with the
22 content standards as adopted by the State Board of
23 Education in 1997 or 1998.

24 SEC. 2. (a) Notwithstanding any other provision of
25 law, funding for instructional materials appropriated by
26 Item 6110-150-0001 of Section 2.00 of the Budget Act of
27 1998 shall be expended for the purposes of, and by the
28 distribution method established in, Chapter 3.5
29 (commencing with Section 60450) of Part 33 of the
30 Education Code.

1 (b) Notwithstanding Provision 1 of Item 6110-150-0001
2 of Section 2.00 of the Budget Act of 1998, funds
3 appropriated by that item shall be allocated to school
4 districts and county offices of education on the basis of an
5 equal amount per pupil enrolled in public elementary
6 schools and high schools, excluding the enrollment of
7 summer school, adult education programs, and regional
8 occupation centers and programs, in the prior fiscal year,
9 as certified by the Superintendent of Public Instruction,
10 based on California Basic Education Data System *data*, as
11 required by Sections 60452.5 and 60450.5 of the Education
12 Code.

13 SEC. 3. This act is an urgency statute necessary for the
14 immediate preservation of the public peace, health, or
15 safety within the meaning of Article IV of the
16 Constitution and shall go into immediate effect. The facts
17 constituting the necessity are:

18 In order for funding for instructional ~~material~~ *materials*
19 appropriated in the Budget Act of 1998 to be allocated in
20 accordance with Chapter 3.5 (commencing with Section
21 60450) of Part 33 of the Education Code, as added by
22 Chapter 312 of the Statutes of 1998, it is necessary that this
23 act take effect immediately.

